

REMARKS

Claims 1, 9-12, 17-18, 22, 44-47, 71, 73-74, 76, 78, and 80-137 are now pending in the application. Claims 1, 4, 86, 99, 112, and 125 are the independent claims.

Interview

Applicants and their attorneys express their appreciation to the Examiner for extending the opportunity for a personal interview on August 30, 2004. As set forth in the interview summary provided by the Examiner, possible amendment to the claims to define over the prior art of reference were discussed. Having taken into account the suggestions made during the interview, Applicants now believe that their claims as now pending clearly define over the prior art of record and are patentable. During the interview, the Examiner raised two additional prior art references, U.S. Patent 5,600,364 issued to Hendricks et al. and U.S. Patent 6,457,010 B1 issued to Eldering et al. This response includes an analysis of the same with respect to the presently claimed embodiments.

Claims 1-85

Claims 1-85 stand rejected as anticipated by the Candelore reference (U.S. Patent 6,057,872). Applicants respectfully disagree. Candelore is a method and system for digital coupons for pay television. Among other features, Candelore does not teach the feature of providing a customized schedule of customized content ... generated utilizing information about the at least one viewer. This feature is disclosed in Claim 1 and Claim 44, and also in Applicants' application. (See, e.g., page 11, line 22 to page 12, line-15; page 13, lines 10-13; and page 20, lines 10-17 of the Applicants' specification.)

During the course of the interview, the Examiner mentioned two additional prior art references, U.S. Patent 5,600,364 issued to Hendricks et al., and U.S. Patent 6,457,010 B1 issued to

Eldering et al. Hendricks et al. generates packages of content and advertising. However, Hendricks et al. is a pull system, which requires a user to choose which programs the user wants, as opposed to a push system, which does not require the user to choose particular programs or a particular set of programs. Among other features, Hendricks et al. does not teach the feature of providing a customized schedule including customized content ... generated utilizing information about the at least one viewer.

Eldering et al. also does not teach the feature of providing a customized schedule including customized content ... generated utilizing information about the at least one viewer. Instead, Eldering et al. teaches a method and system for “generating a subscriber profile which contains useful information regarding the subscriber likes and dislikes. Such a profile is useful for system which provide targeted programming ... and allow material (programs) ... to be directed at subscribers who will have a high probability of liking the program” Thus, Eldering et al. does not actually teach a system or method of providing a customized schedule including customized content, but rather teaches a method of providing a profile that can be used to generate customized programming. Therefore, Applicants respectfully assert the present invention is patentable over Eldering et al. However, in order to expedite issuance in this case, Applicant will submit a declaration under 37 C.F.R. Section 1.131 swearing behind the Eldering et al. reference. Consideration of the 131 declaration in conjunction with this filing is thus respectfully requested.

As explained above, Applicants believe that amended independent Claims 1 and 44 are now allowable. Claims 9-12, 17-18, 22, 45-47, 71, 73-74, 76, and 78 depend on Claims 1 or 44, and are also thus allowable.

Claims 86-111

Newly added Claims 86 and 99 include the feature of a non-rebate cash reward. This feature, which is supported in the application (see, *e.g.*, original Claim 41), among other features, is not disclosed in the prior art, and is thus allowable. Claims 87-98 and 100-111 are dependent on Claims 86 or 99, and are thus also allowable.

Claim 112-137

Newly added Claims 112 and 125 include the feature of a reward in the form of a product or service displayed in the content. This feature, which is supported in the application (see, *e.g.*, original claims 23-24), among other features, is not disclosed in the prior art, and is thus allowable. Claims 113-124 and Claims 126-137 are dependent on Claims 112 or 125, and are thus also allowable.

Concluding Remarks

The current amendment eliminates previous amendments. Accordingly, please disregard all characterizations of the invention that have been made in previous amendments. Amendment and cancellation of any claims were undertaken to streamline prosecution of the case to such amendments. Applicants specifically reserve the right to prosecute any cancelled claim, or claim before amendment, or any other claim directed to the subject matter of the same, in any application that claims priority to, or through this application, including any continuation application, divisional application, RCE, CPA, etc.

Applicants believe the objections in the Office Action have been addressed and that the application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone should the Examiner believe that personal communication will expedite prosecution of this application.

Respectfully submitted,

PIPER RUDNICK LLP

A handwritten signature in black ink, appearing to read 'Dale Lazar', is written over a horizontal line.

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